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10/727,777	12/03/2003	Manoj Monga	A-2826-AL	7087

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EXAMINER

CRAIG, PAULA L

ART UNIT	PAPER NUMBER
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3761

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/727,777	Applicant(s) MONGA, MANOJ	
	Examiner Paula L. Craig	Art Unit 3761	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 03 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. Figures 1-4B are objected to under 37 CFR 1.84 or 1.152 for the reasons indicated on the attached Form PTO-948.
2. In addition, Figs. 1, 2, 3A, and 3B should be designated by a legend such as -- Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Figs. 1, 2, 3A, and 3B are referred to only in the Background of the Invention section of the specification, therefore they are considered by the Examiner to refer to prior art only (see page 2, lines 7-8 and page 3 line 2).
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 20 (see Figs. 3A and 3B). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application.
4. The drawings are also objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the Luer-lock connection of Claims 15 and 28, the drainage bag attachable to the Luer-lock connection of Claims 16 and 29, and the connection of the inflation passage to a pump or syringe of Claim 18, must be shown or the features canceled from the claims. No new matter should be entered. Note that while Fig. 3A shows a collection bag, Fig. 3A is considered by the Examiner to refer to prior art only, as stated above in paragraph 2.

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5. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

6. Claims 1-24 are objected to because of the following informalities: It is not clear whether the terms "proximal end" and "distal end" in lines 2-3 of Claim 1 refer to the ends of the tubular member or of the lumen. For purposes of this examination, these terms will be considered by the Examiner as referring to the ends of the tubular member. The phrase "drainage lumen 52 extending from a proximal end and a distal

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end" will also be considered as meaning that the drainage lumen extends from the proximal end to the distal end of the tubular member. The distal end is considered to be located at the distal portion 60 of the tubular member 50. See Figs. 4A and 4B and page 8, lines 14-16. Claims 2-24 are objected to as being dependent on Claim 1. Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 6-7, 22, 24, 27, and 32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

9. In Claims 6 and 27, it is not clear what structure is intended by the wording "the drainage lumen 52 or additional lumen provide for drainage of urine, passage of a guidewire, and infusion of liquids". It is not clear to the Examiner whether or not an additional lumen is being claimed. For purposes of this examination, the Examiner interprets this wording to mean that the tubular member provides for drainage of urine, passage of a guidewire, and infusion of liquids.

10. The term "minimally" in claim 7 is a relative term which renders the claim indefinite. The term "minimally" is not defined by the claim, the specification does not

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provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

11. In Claims 22 and 32, it is not clear what structure is intended by "operates like a snap-on plug".

12. In Claim 24, it is not clear whether or not the body cavity and/or the animal itself is being claimed, or if this is the environment in which the catheter is used.

Claim Rejections - 35 USC § 102

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

14. Claims 1-3, 5, 6, 8-14, 18, 23, 25-27, and 33, as best understood by the Examiner, are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,606,889 to Arblaster.

15. For Claim 1, Arblaster shows a drainage catheter having a tubular member (see Figs. 1 and 3). The preamble term "percutaneous" is considered by the Examiner to be functional language of little or no patentable weight. Applicant indicates that a standard Foley catheter may be used either for either percutaneous or suprapubic bladder drainage (see specification, page 7, lines 7-15). The claimed features of the invention do not particularly suit the invention for percutaneous use, whether in reaching the

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bladder or other body cavities. The tubular member of Arblaster has a drainage lumen (see Arblaster, reference number 14 of Fig. 3 and col. 2, lines 26-29). A retention member is formed around the tubular member (reference number 20 of Figs. 1 and 3, and col. 2, lines 35-36). The retention member is adapted to move between a low profile state (shown in Fig. 1) and a high-profile state (shown in Fig. 3). The phrase "the tubular member 50 and the retention member 56 operate to seal and tamponade an access tract in the body cavity" is functional language of little patentable weight. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (Bd. Pat. App. & Inter. 1987), and *In re Casey*, 370 F.2d 576, 152 USPQ 235 (CCPA 1967).

16. For Claim 2, Arblaster shows the retention member disposed at the distal end of the tubular member. See reference numbers 20 and 12 of Fig. 3, and col. 2, lines 26-35.

17. For Claim 3, Arblaster discloses that the retention member is a soft conforming balloon. (See Fig. 3 and col. 2, lines 33-37.)

For Claim 5, Arblaster does not explicitly disclose that the retention member may be expanded to about 30 Fr in the high-profile state. However, expanding the retention member of Arblaster sufficiently to anchor the catheter in the bladder, as shown in Arblaster, would involve an expansion to about 30 Fr. This value is considered to be

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inherent in Arblaster. See *In re Schreiber*, 128 F.3d 1473, 44 USPQ2d 1429 (Fed. Cir. 1997).

18. For Claim 6 (as stated above in paragraph 9), for purposes of this examination, the Examiner interprets the wording of this claim to mean that the tubular member provides for drainage of urine, passage of a guidewire, and infusion of liquids.

Arblaster discloses that the drainage lumen provides for drainage of urine (see col. 3, lines 35-37). Arblaster does not explicitly disclose that the drainage lumen or an additional lumen provide for passage of a guidewire and infusion of liquids. However, the catheter of Arblaster is capable of providing for passing a guidewire or infusing liquids.

19. For Claim 8, Arblaster teaches an inflation passage to actuate the retention member from the low-profile state to the high-profile state after placement of the distal end of the tubular member in the body cavity. See reference number 18 of Figs. 3 and 4, and col. 2, lines 33-41.

20. For Claim 9, Arblaster teaches that the catheter may remain in place for prolonged periods (see col. 2, lines 59-64). The claim wording "maintains pressure in the retention member 56 for prolonged periods of time of up to several weeks" is functional language of little patentable weight in an apparatus claim. The claim also does not require any particular period of dwell time, but only "up to".

21. For Claim 10, Arblaster teaches a foam bolster around the proximal end of the tubular member. See reference number 35 of Figs. 1 and 3, and col. 2, lines 56-71.

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22. For Claim 11, Arblaster teaches placement of the catheter and bolster so that the catheter is under slight tension and the bolster is against the skin (see col. 3, lines 37-44). Note that the wording "may be slightly compressed upon placement of the tubular member 50 to provide a spring force against the retention member 56 in the access tract and to help maintain consistent position of the tubular member 50" is functional language of little patentable weight.

23. For Claims 12 and 13, Arblaster does not explicitly show the tubular member being configured for either percutaneous nephrolithotomy or for suprapubic drainage application. However, Applicant's specification indicates at page 2, line 3 to page 3, line 9, that standard catheters may be used for either percutaneous nephrolithotomy or suprapubic drainage application. Claims 12 and 13 do not claim any structure which would configure the catheter for use in these specific applications. Applicant does indicate on page 10, lines 6-8 of the specification that the tubular member would have a dimension of 8-12 cm for percutaneous nephrolithotomy or 4-8 cm for suprapubic drainage applications; however, such a requirement is not presently part of Claims 12 or 13. The catheter of Arblaster is capable of functioning in either percutaneous nephrolithotomy or suprapubic drainage application. These uses are considered by the Examiner to be inherent in Arblaster.

24. For Claim 14, Arblaster discloses a drainage portion having at least one drainage port. The drainage port provides external access for bladder contents via the drainage lumen. See reference number 15 of Fig. 3, and col. 2, lines 29-33.

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25. For Claim 18, which is dependent on Claim 8, Arblaster shows an inflation passage connected to a pump or syringe to individually and independently inflate and deflate the retention member. See reference number 23 of Fig. 1, and col. 2, lines 36-46. The bulb 23 of Arblaster functions as a pump to inflate and deflate the retention member.

26. For Claim 23, Arblaster does not explicitly disclose the drainage catheter being used in a veterinary application. However, as Arblaster does not specify use in human beings, veterinary use is considered to be inherent in Arblaster. Note that the phrase "is used in a veterinary application" is considered by the Examiner to be functional language of little patentable weight.

27. For Claim 25, Arblaster discloses a drainage catheter having a tubular member, as described above in paragraph 15 for Claim 1. The tubular member has an access lumen extending longitudinally (see Arblaster, reference number 14 of Fig. 3 and col. 2, lines 26-29). The catheter has a drainage portion having a drainage port (see reference number 15 of Fig. 3 and col. 2, lines 29-33). A retention member is formed around the tubular member (reference number 20 of Figs. 1 and 3, and col. 2, lines 35-36). The retention member is formed proximally to the tubular member and is adapted to move between a low profile state (shown in Fig. 1) and a high-profile state (shown in Fig. 3).

28. For Claim 26, which is dependent on Claim 25, Arblaster discloses that the retention member is a soft conforming balloon. (See Fig. 3 and col. 2, lines 33-37.)

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29. For Claim 27, Arblaster discloses explicitly that the drainage lumen provides for drainage of urine, and inherently for passage of a guidewire and infusion of liquids, as stated in paragraph 18 above for Claim 6.

30. For Claim 33, which is dependent on Claim 25, Arblaster is considered by the Examiner to inherently disclose use of the catheter in a veterinary application, as stated in paragraph 26 above for Claim 23.

31. Claims 1-3, 7, 25, and 26 as best understood by the Examiner, are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,906,575 to Conway et al.

32. For Claim 1, Conway discloses a urethral plug which may be used as a drainage catheter (see Fig. 1 and col. 8, lines 45-59). The catheter has a tubular member, a drainage lumen, and a retention member (see reference numbers 22, 30, and 44 of Figs. 1 and 5, col. 4, lines 54-60, col. 6, lines 17-28, and col. 8, 45-59). The retention member is formed around the tubular member and is adapted to move between a low-profile state and a high-profile state (see Figs. 6 and 9). The tubular member and retention member operate to seal an access tract in the body cavity.

33. For Claim 2, Conway shows the retention member disposed at the distal end of the tubular member. See Fig. 9.

34. For Claim 3, Conway shows the retention member as a soft conforming balloon. See Fig. 9 and col. 6, lines 39-43.

35. For Claim 7, Conway shows the proximal end of the tubular member protruding minimally from the body cavity. See Fig. 9.

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36. For Claim 25, Conway shows a tubular member, an access lumen, a drainage portion, a drainage port, and a retention member. The retention member is adapted to move between a low-profile and a high-profile state. See Figs. 1, 5, 6 and 9, and col. 4, lines 54-60, col. 6, lines 17-28, and col. 8, 45-59.

37. For Claim 26, Conway shows a soft conforming balloon. See Fig. 9.

Claim Rejections - 35 USC § 103

38. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

39. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

40. Claims 15, 16, 28, and 29, as best understood by the Examiner, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,606,889 to Arblaster in view of U.S. Patent No. 6,793,651 to Bennett et al. Claim 15 is dependent on Claim 14, which is dependent on Claim 1. Claim 16 is dependent on Claim 15. Claim 28 is dependent on Claim 25, and Claim 29 is dependent on Claim 28. Arblaster

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shows all the limitations of Claims 1, 14, and 25, as stated above in paragraphs 15, 24, and 27. For Claims 15, 16, 28, and 29, Arblaster does not show the drainage port including a Luer-lock connection, or a drainage bag attachable to the Luer-lock connection. Arblaster does disclose coupling the drainage port to another length of tubing or to a suitable container (see Arblaster, reference number 15 of Figs. 2 and 3, and col. 2, lines 29-33). Bennett teaches a Luer-lock connection and a drainage bag for collecting urine draining from a catheter (see Bennett, reference numbers 44 and 46 of Fig. 1, and col. 6, lines 8-34). Bennett also teaches that the Luer-lock type connector provides a secure, fluid-tight connection that can be easily released, and advantageously allows various medical implements to be connected to the urinary catheter system (see col. 3, lines 16-27). It would have been obvious to include a Luer-lock connection and a drainage bag with the catheter of Arblaster, to provide for secure, fluid-tight, easily released connections, and for collection of urine.

41. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arblaster in view of U.S. Patent No. 5,380,276 to Miller. Claim 4 is dependent on Claim 1. As stated above in paragraph 15, Arblaster teaches all the limitations of Claim 1.

42. For Claim 4, Arblaster does not show the tubular member and the retention member in the low-profile state having a diameter of about 8 Fr – 10 Fr. Miller discloses catheters having French sizes of 8.5 and 10. Miller also states that the French size may be adjusted according to the needs of the patient. See Miller, col. 4, lines 11-22. In addition, Applicant states that drainage catheters are typically in the 6 – 24 Fr size range (see specification, page 7, lines 7-8). It would have been obvious to modify the

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catheter of Arblaster to a size of 8 Fr – 10 Fr to suit a particular body cavity or a particular patient.

43. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arblaster in view of U.S. Patent No. 4,705,510 to Rosenberg. Claim 17 is dependent on Claim 1. Arblaster does not show the tubular member being made of a soft, silicone material including a radiopaque material. Rosenberg shows a nephrostomy catheter constructed from an elastic material such as silicone. Radiopaque material is included to enhance visualization. (See Rosenberg, Fig. 6 and col. 2, lines 36-49.) Rosenberg states that the use of radiopaque material is helpful in correctly placing the catheter under radiologic vision (see Rosenberg, col. 2, lines 58-61). The radiopaque material allows the catheter to be visualized on a fluoroscope (see Rosenberg, col. 3, lines 13-24). It would have been obvious to modify the catheter of Arblaster to include manufacture of the tubular member from a soft silicone material with radiopaque material, in order to enhance visualization of the catheter.

44. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arblaster in view of U.S. Patent No. 5,906,575 To Conway et al. Claim 19 is dependent on Claim 1, while Claim 20 is dependent on Claim 19. As stated above in paragraph 15, Arblaster teaches all the limitations of Claim 1. In addition, Arblaster shows a connector hub at the proximal end (see reference numbers 15 and 22 and their connection, Fig. 1). The connector hub includes a port (see reference number 21 of Fig. 1 and col. 2, lines 29-46).

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45. For Claims 19 and 20, Arblaster does not show an access lumen plug. This term is interpreted by the Examiner to mean a plug for the main drainage lumen of the tubular member, as opposed to a plug for the inflation passage. Arblaster does show a rubber plug, as well as a spring clip, for the inflation lumen (see Arblaster, reference numbers 21 and 24 of Fig. 1 and col. 2, lines 36-45). Conway teaches a disposable device to block the flow of urine, which includes a removable stylet capable of functioning as a plug for a drainage lumen (see Conway, reference number 28, Figs. 1 and 9, col. 2, lines 31-40, col. 4, lines 60-63, col. 7, lines 23-46, and col. 8, lines 45-59). For Claim 20, the phrase "provides easy draining of the body cavity" is considered by the Examiner to be functional language of little patentable weight. It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to modify the connector hub of Arblaster to include an access lumen plug to block the flow of urine.

46. Claim 21, which is dependent on Claim 19, is rejected under 35 U.S.C. 103(a) as being unpatentable over Arblaster in view of Conway as stated above for Claim 19, and further in view of Rosenberg. Arblaster and Conway do not show the access lumen plug being formed from a soft, silicone material including a radiopaque material. As stated above in paragraph 43 for Claim 17, It would have been obvious to modify the catheters of Arblaster and Conway to include manufacture of the access lumen plug from radiopaque material, to assist in correct placement of the catheter under radiologic vision.

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47. Claim 22, which is dependent on Claim 19, is rejected under 35 U.S.C. 103(a) as being unpatentable over Arblaster in view of Conway as stated above for Claim 19, and further in view of U.S. Patent Publication No. US 2003/0060807 to Tanghoj et al. The term "snap-on plug" is interpreted by the Examiner to mean a plug formed with a living hinge having a portion which is pushed into the access lumen to close it, as this appears to be the type of plug shown in Figs. 4A and 4B of Applicant's specification.

48. Arblaster and Conway do not show an access lumen plug that operates like a snap-on plug. Tanghoj shows a snap-on plug which is used to form a liquid-tight seal in a catheter assembly. See Tanghoj, Figs. 1c and 6a-6c, and page 6, paragraph 86. It would have been obvious to modify the catheters of Arblaster and Conway to include a snap-on plug, in order to provide a seal for the drainage lumen of the catheter.

49. Claims 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arblaster in view of Conway, as described above for Claims 19 and 20.

50. Claim 32, which is dependent on Claim 30, is rejected under 35 U.S.C. 103(a) as being unpatentable over Arblaster in view of Conway as stated above for Claim 19, and further in view of U.S. Patent Publication No. US 2003/0060807 to Tanghoj et al., as stated above for Claim 22.

Conclusion

51. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. U.S. Patent No. 2,046,094 to Schmidt shows a holder to keep a catheter in place. U.S. Patent No. 3,487,837 to Petersen shows a bell-shaped elastic body of plastic or rubber surrounding a catheter. U.S. Patent No. 4,784,647 shows a

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foam pad for use with a catheter. U.S. Patent No. 5,300,022 to Klapper et al. shows a catheter with a separate lumen for delivering a solution to the bladder. U.S. Patent No. 6,299,598 to Bander shows a percutaneous drainage catheter. U.S. Patent Nos. 4,750,902 to Wuchinich et al., 5,053,023 to Martin, and 5,908,403 to Bosma et al., and U.S. Patent Publication 2002/0038115 A1 show various catheter configurations.

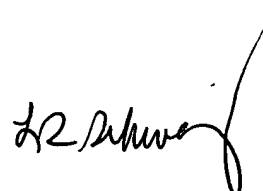
52. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paula L. Craig whose telephone number is (571)272-5964. The examiner can normally be reached on 8:30AM-5:00PM M-F.

53. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry I. Schwartz can be reached on (571)272-4390. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

54. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Paula L Craig
Examiner
Art Unit 3761

PLC



Larry I. Schwartz
Supervisory Patent Examiner
Group 3700